

**APPENDIX C:**  
**PUBLIC HEARING MINUTES**  
**and**  
**PUBLIC COMMENTS**  
**RECEIVED**

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In the Matter of the  
CITY OF BUFFALO PLANNING BOARD

For Review of  
DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT  
on Behalf of ELMWOOD CROSSINGS.

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Public Hearing Minutes, taken  
pursuant to Public Notice, taken in CITY OF  
BUFFALO, Niagara Square, Room 901, Buffalo, New  
York 14202, taken on JULY 15, 2019 commencing at  
5:05 p.m. Before DARLENE L. JERGE, Notary Public.

**PLANNING BOARD MEMBERS:**

JAMES MORRELLS, CHAIRMAN  
NADINE MARRERO, CHAIRPERSON  
HORACE GIOIA, CHAIRPERSON  
CYNTHIA SCHWARTS, CHAIRPERSON  
MICHEAL REMBIS, CHAIRPERSON  
ANGELA WEBBER, CHAIRPERSON  
JASON PAANANEN, CHAIRPERSON  
ANDREW MALCOLM, CHAIRPERSON  
MICHEAL REMBIS, CHAIRPERSON

**Also Present:**

TOM FOX, Ellicott Development  
KELLY THOMPSON, Bergman & Associates  
DEAN GOWEN, Wendel  
DARLENE L. JERGE, Court Stenographer

MR. ROMANOWSKI: Marc Romanowski, I'm here on  
behalf of the project development team for  
Elmwood Crossings this afternoon or now early  
evening. We are conducting a public hearing  
on the Draft Generic Environmental Impact  
statement that we prepared and the Planning  
Board approved approximately one month ago.

I'm going to give a brief overview of  
the project as a whole, critical elements of

1       that project. We also have a couple of the  
2       key consultants with the project team that  
3       will also give some brief summary of the  
4       content that's within that very voluminous  
5       document that's sitting on your table.

6               So let's first start overall with the  
7       project site. I think we're all familiar  
8       with the former Children's Hospital project  
9       site. The neighborhood bounded by Elmwood to  
10      the west, Bryant to the south and West Utica  
11      to the north. And the campus that kind of  
12      winds its way through those several blocks.

13             What the project team is proposing is  
14      approximately seven hundred thousand square  
15      foot -- total square foot redevelopment.  
16      Much of it is within existing structures.  
17      There's limited demolition that's proposed as  
18      part of this development. Much of it is  
19      within existing structures, there's also some  
20      new structures that are being constructed as  
21      well. Primarily along the West Utica side  
22      which is currently a surface parking lot and  
23      a former I believe VICs store was located

1 where the townhomes are shown there now.

2 In general, I'll kind of walk you  
3 through this site. For reference, on the  
4 south end, that's the main hospital campus.  
5 So when you think of Children's Hospital,  
6 those are the buildings that you typically  
7 associate with that. On Elmwood Avenue, the  
8 mixed use project at 451 Elmwood was already  
9 approved about a year ago. That project is  
10 shown there. Critically, that project was  
11 analyzed throughout this document. So  
12 whenever we talk about volumes, whether it's  
13 parking, traffic, impacts, square footage,  
14 residential units, all of that, those are  
15 also inclusive of 451 Elmwood, so we haven't  
16 excluded that particular project.

17 As you move eastward into the hospital  
18 proper, you see that it's going to be largely  
19 apartment units, as well as mixed units  
20 with -- in the tower, in the Variety Tower,  
21 you're going to have a mixed use of  
22 condominiums, hotels -- hotel, and parking.

23 Then as you move further to the east,

1       there's going to be some green space  
2       constructed on the site. One of the elements  
3       we heard a lot of during our community  
4       meetings was a discussion on green space.  
5       I'll have Dean Gowen from Wendel speak to  
6       that in more detail. Moving north across  
7       Hodge, one of the earliest projects likely  
8       to see after 451 Elmwood will be the daycare  
9       on Hodge. This can be demolition of a couple  
10      single family residential homes there and  
11      construction of newer, little bit more  
12      fitting buildings for purposes of a daycare.

13           As you continue to move north, you have  
14      the existing parking garage which is part of  
15      the analysis here. So the project is  
16      assuming utilization of that parking ramp.  
17      Right now it has very low utilization after  
18      the hospital left. So that's a critical  
19      element of the overall analysis and Kelly  
20      Thompson from Bergman will speak to parking  
21      and traffic issues.

22           Moving kind of to the northeast, you get  
23      into a former parking area. And we're

1 looking at a multi mixed use retail and  
2 apartment type building, with an intent to  
3 have a grocery in that particular location.  
4 Then next to that to the east are a series of  
5 townhomes. All of that is detailed within  
6 the -- within the document itself. There are  
7 numerous exhibits that go to these elements,  
8 as well as all the componentry of that.

9 To give you some, a little bit more  
10 detail on the overall numbers for the  
11 project. We talked about seven hundred  
12 thousand total square feet. There's  
13 approximately 220 apartments. And those take  
14 up half of the square footage, so 350  
15 thousand square feet of the seven hundred is  
16 apartments. We have a 78 room hotel. Then  
17 27 condominium units, we talked about those  
18 in the tower. Then also the twenty townhomes  
19 you can see up here on the northeast side of  
20 the corner.

21 So we've covered kind of the overall  
22 picture of the site and what the different  
23 elements are. Before I move on from that,

1 does anybody have any questions -- the  
2 Planning Board that is, have any questions  
3 about that overview of the project?

4 HORACE GIOIA: Quick question, how many parking  
5 spaces does that garage have? And it's  
6 totally controlled by the City still, right?

7 MR. ROMANOWSKI: Currently it's still owned by  
8 City. We've been in negotiations with the  
9 City to acquire it. There's some conditions  
10 as part of that transaction that we expect to  
11 keep it open to a certain extent for public  
12 parking, as well as obviously dedicated to  
13 the project site. Total parking spaces on  
14 the campus including that garage is about  
15 750. We expect that we need about 700 is our  
16 number, but I'll let Kelly -- I don't want to  
17 steal her thunder, I'll let her get into all  
18 those finer details she knows those.

19 HORACE GIOIA: Okay.

20 MR. ROMANOWSKI: Any other questions on the  
21 overview?

22 MICHAEL REMBIS: The blue -- looks blue to me.

23 MR. ROMANOWSKI: That's a mix of -- the grocery



1 store is the intended retail.

2 MICHAEL REMBIS: Is it going to be a tower or --

3 MR. ROMANOWSKI: That building we're anticipating  
4 being a maximum of five stories, so that's  
5 the current proposal. The townhomes here are  
6 a maximum of three stories.

7 CHAIRMAN MORRELLS: So if you recall previously,  
8 so the environment study encompasses all, but  
9 the individual projects will come back for  
10 site plan review?

11 MR. ROMANOWSKI: Absolutely. Mr. Chairman,  
12 that's a great segue into my next section  
13 which talks about the approval process.

14 CHAIRMAN MORRELLS: Okay.

15 MR. ROMANOWSKI: So the approval process that we  
16 envision is exactly as you pointed out. As  
17 we get through to develop certain projects,  
18 much like we did with 451, we'll come to this  
19 Board for site plan approval at a minimum.  
20 We may need some other additional approvals  
21 depending on massing. However, what we're  
22 trying to accomplish is we're going to be  
23 seeking a plan unit development for the site

1 as a whole.

2 The purpose of that is to create  
3 consistent zoning for the project site.  
4 Right now there's three different zoning  
5 districts on the project site. You have N2C,  
6 which is a mixed use center, more of a  
7 commercialized type zoning. N2E also very  
8 similar to N2C, it's a mixed use that is an  
9 edge -- neighborhood district edge. And then  
10 N2R, there's a couple lots internal primarily  
11 around the daycare that is zoned residential.

12 So what we're looking at is envisioning  
13 from a plan development standpoint is that  
14 the overall zoning for the site would be  
15 essentially an N2C. We would also establish  
16 appropriate massing in both locations, in  
17 different locations. So, for instance, we'd  
18 like some height around the tower but  
19 certainly we're not looking for height beyond  
20 five stories at West Utica.

21 So it's envisioning where you are on the  
22 project site and setting both standards that  
23 are appropriate for that. We talked about

1 the site plan. There will be some  
2 subdivision and lot combination that occurs  
3 here. There is a number of little individual  
4 lots that will be combined into either larger  
5 parcels just to make the development a little  
6 easier to manage. And then the other  
7 approval that doesn't really impact the city  
8 entirely is the brownfield clean-up process  
9 that's ongoing on the site. The site is  
10 going to be remediated. There was some  
11 spills in the past associated with some  
12 underground storage tanks. And the site is  
13 actually already in the brownfield clean-up  
14 program. And we'll obviously bring that to  
15 completion as we move forward with the  
16 development.

17 I think the Chairman has also summarized  
18 I think quite nicely the SEQR process, where  
19 we are, the role of the Planning Board. The  
20 key issue is that the Planning Board  
21 identified early on when they issued the  
22 positive declaration for the project, were  
23 items such as transportation, impact on

1 historic resources, surface water.

2 Since then, and what we've heard as part  
3 of the public engagement process that the  
4 development team has undergone is certainly  
5 concerns about transportation, parking,  
6 stormwater run-off. But also there's some  
7 concerns about green space, site layout, how  
8 is this going to integrate itself into the  
9 neighborhoods.

10 So for that reason we brought the  
11 experts Dean and Kelly here to speak to some  
12 key issues just to inform the Board a little  
13 bit, give you the opportunity to ask  
14 questions of them. And then we can move on  
15 obviously to the public comment period. So  
16 I'm going to start with Dean Gowen from  
17 Wendel and he'll talk to overall site issues  
18 and landscaping equivalent.

19 DEAN GOWEN: Dean Gowen, landscape architect with  
20 Wendel. Just to start out, one of the key  
21 things that Marc just mentioned is a lot of  
22 the site is being maintained. The buildings  
23 are being preserved. Not a lot of large

1 scale site opportunities, so what we are  
2 determined to do is maximize the benefit of a  
3 lot of what's called nooks and crannies, a  
4 lot of spaces throughout the site. Integrate  
5 them together into a series of -- just to  
6 kind of go through and then I'll grab a  
7 couple highlighted boards here.

8 But the overall site really integrates  
9 well as a campus down between Bryant and  
10 Hodge, then we have a piece up on West Utica.  
11 What we would like to do working real closely  
12 with the architect, is kind of create a lot  
13 of those indoor/ outdoor spaces for not only  
14 the residents, but also for the neighborhood  
15 and the public to come in. Also looking at  
16 some integrated and interconnected green  
17 spaces that allow the public to kind of flow  
18 through the site from Bryant to Hodge, then  
19 we have do have pathways and the ability for  
20 people to kind of move north, south, so that  
21 you're not bound by, you know, the street  
22 block.

23 Having said that, I will put this up

1 real quick. This shows kind of a highlighted  
2 interconnection of pedestrian movements.  
3 I'll say it kind of loosely pedestrian,  
4 bicycle connections, because there will be  
5 some ample bicycle widths here. It gets a  
6 little narrow coming through some of these  
7 spaces, but still it's to try to get people  
8 to kind of flow through.

9 Also, we're showing, highlighting the  
10 green that will be available to us to work  
11 with. And I will say as a landscape  
12 architect sometimes you think the larger  
13 space is the hardest to design, a lot of  
14 times it's the small intimate so that we can  
15 really make use and maximize the benefit. We  
16 have shown a number of areas, this was one of  
17 the public requests, I don't want to knock  
18 the mic over, for focal elements, for public  
19 art, for the ability that the community can  
20 come through and maybe there's not only  
21 interpreted elements, but the focal pieces  
22 and sculptures. So those are identified  
23 throughout.

1           And having said that, I will set this  
2 down. These highlighted -- I think there's  
3 four spaces highlighted here. I'll start  
4 north to south in the corner here. The  
5 townhouses have kind of an adjoined communal  
6 space in-between. This is a rendering of  
7 looking down through from north to south.  
8 There are also areas along, there was an  
9 elevational rise along Bryant as those  
10 buildings kind of are a little higher.  
11 Working again with the architects, there's  
12 some really dynamic opportunities to create  
13 some nice spaces that overlook the street.

14           One thing that we did notice from a  
15 historic picture and kind of borrowed a  
16 theme, they had these really beautiful  
17 pergola structures that kind of were symbolic  
18 of some of the original hospital complex. We  
19 have incorporated some of these elements  
20 throughout the site to bring kind of the  
21 historic reminiscence back to the mix.

22           And then really highlighting what we'll  
23 call the largest of the park opportunities,

1 the ability for people to go from Bryant to  
2 Hodge, through a series of paths. One of the  
3 things we picked up from one of the public  
4 meetings was, you know, again the  
5 availability for people to walk through  
6 almost like a sculpture garden. So we don't  
7 know what it will look like at this point or  
8 what they'll be, but the ability to have  
9 areas where the developers and the team can  
10 look to some opportunities.

11 Potential playground spot for the  
12 neighborhood. We're calling it either a  
13 nature or art focus play area, rather than  
14 just put a piece of equipment there and a  
15 little open lawn area that people can hang  
16 out on. So, without jumping around too much  
17 more, again, some focal pieces throughout,  
18 some pergola structures as the ability to  
19 kind of bring some of the history back. And  
20 then last but not least, would be that whole  
21 aspect of landscape itself, as many trees as  
22 we can put in there, lots of treatment so  
23 that this really becomes part of a blend into



1 the neighborhood.

2 MR. ROMANOWSKI: Thanks, Dean, we appreciate it  
3 very much. Just to also really elaborate on  
4 one significant issue. Stormwater run-off is  
5 something what was a concern, we heard  
6 repeatedly. With the landscape plan that's  
7 been developed, we're doubling the amount of  
8 green space on the site from what was there  
9 previously. So not only is the engineering  
10 part will help reduce the stormwater run-off,  
11 but the level of imperviousness to the site  
12 will actually drop by half, from one acre of  
13 impervious or green space to two acres;  
14 little over two acres.

15 I also want to clarify one thing. I  
16 made a misstatement with respect to the  
17 demolition for -- with respect to the day  
18 care. That is actually retrofitting those  
19 buildings. There's not a demolition there.  
20 So I misspoke. Thanks for clarifying it.  
21 We'll now turn it over to Kelly, she'll speak  
22 to parking and traffic issues.

23 KELLY THOMPSON: The traffic analysis -- I'm

1       sorry, my name is Kelly Thompson, I'm with  
2       Bergman Associates and we analyzed the  
3       existing as well as the full build traffic  
4       analysis for this project. We examined the  
5       current traffic as it is today based on what  
6       is considered a no build or current existing  
7       situation.

8               We found one minor element that may be  
9       addressed with some traffic timing  
10      adjustments at the intersection of Elmwood  
11      and Summer. But in essence it is an  
12      operationally very acceptable level service  
13      currently. Also, the other thing that we  
14      examined on an existing basis is the parking  
15      and as Marc had indicated, parking currently  
16      is at a very low level in the gallagher ramp.  
17      But as you examine all the available parking  
18      within not only the ramp but also the other  
19      six parking elements that are there, there is  
20      more than sufficient parking for any of the  
21      development that is as planned.

22              When then examined in a full build out  
23      year, which would be roughly 2022 that was

1 identified. And again, examined traffic  
2 operation ad found all of them to be in  
3 considerably acceptable situation with  
4 mitigation. That mitigation is to ensure  
5 that the connections that are there today,  
6 all of these connections that are there to  
7 West Utica, Hodge and Elmwood, and all of  
8 this circulation and internal traffic sharing  
9 that is available, that those connections  
10 must be maintained as they are today.

11 But mitigation wise that we are looking  
12 at is some retiming and relocation of the  
13 traffic timing cycles, so that we can produce  
14 acceptable levels of service at Level C or  
15 better at all intersections.

16 HORACE GIOIA: Can I ask you a question?

17 KELLY THOMPSON: Certainly.

18 HORACE GIOIA: Can you explain to the extent  
19 there's exclusion allocation of parking for  
20 each specific use; and then to what extent is  
21 the rest of the people going to try to park?  
22 In other words, the townhouse, do you have  
23 specific parking for the townhouse, do you

1           have specific parking for the apartments or  
2           is there not?

3   KELLY THOMPSON:   There is six parking areas that  
4           are assessed specifically for certain  
5           development and the overflow is also  
6           identified to go to the Gallagher ramp.   As  
7           we indicated earlier, the Gallagher ramp is  
8           well below its existing capacity of about six  
9           hundred thirteen spots.   Once these six spots  
10          plus the ramp, we provide more than  
11          sufficient parking for the amount required.

12   HORACE GIOIA:   But for the townhouses there isn't  
13          specific -- if I owned a townhouse, do I have  
14          a parking spot there or not?

15   KELLY THOMPSON:   That's really a question for  
16          Tom.

17   HORACE GIOIA:   Okay.   Thanks.

18   MR. ROMANOWSKI:   Tom Fox is going to come up and  
19          tell --

20   HORACE GIOIA:   Tell a few jokes.

21   TOM FOX:   Tom Fox, Director of Development,  
22          Ellicott Development Company.   To clarify  
23          site by site, the townhouse specifically,

1 each townhome, twenty-five hundred square  
2 foot townhome, each one has a two car garage  
3 inclusive for the residents. Including  
4 parking spaces off street here, there's a  
5 parking here, parking lot, you can see  
6 centrally located.

7 Each of the individual pieces, you can  
8 see the grocery has some parking, there's  
9 going to be a new connection into the  
10 Gallagher ramp right off this development.  
11 The Gallagher ramp we have committed publicly  
12 that one floor, the ground floor,  
13 approximately 150 spaces would be retained  
14 publicly within that ramp. Our reports and  
15 our projections for parking do reflect that,  
16 that we would retain again the first floor of  
17 that ramp as public access for full-time.

18 Within the other components of the site,  
19 you do see some off street parking in this  
20 component here with the proposed soon to be  
21 constructed building at Elmwood and Bryant.  
22 In the back of that, along with some space in  
23 this court here. That would be utilized by

1       these.  Primarily these yellow buildings are  
2       the old hospital buildings to be rehabbed for  
3       residential, are going to utilize the parking  
4       within the ramp.

5               The day care center primarily is going  
6       to use some space in here with some overflow  
7       into the ramp.  In this campus here, the  
8       towers, the former Tanner tower, the Variety  
9       Tower, the Alfero Building, we're working on  
10      as you see in our plans there's an addition  
11      of off-street parking within this complex,  
12      currently showing about forty vehicles.  
13      Those would be dedicated to the condominium  
14      units that would be at the top of the Variety  
15      tower, the top two floors.

16             The rest of the building, with the hotel  
17      use, any office or retail space in there, and  
18      the apartments in the Tanner Tower and  
19      Alfero, that would be utilizing the parking  
20      ramp as well.  And again, those numbers on  
21      site around 750 total, we can accommodate  
22      that with the site including some surplus.

23   MR. ROMANOWSKI:  Thanks, Tom.  Marc Romanowski,

1       once again. So this is, we felt this  
2       addressed an overall presentation of the  
3       project itself. We hit on some key issues  
4       that were identified in the DGEIS, based on  
5       questions by the Planning Board and the  
6       public comments we received thus far. If  
7       there are any other questions that the board  
8       has for the project team as a whole, we're  
9       happy to answer them at this time.

10      CYNTHIA SCHWARTZ: Marc, the only thing, the  
11       construction staging, is there as you move  
12       through it, I realize there's an sequence of  
13       projects. But is there sufficient on site  
14       space for construction staging as you're  
15       moving through each phase?

16      MR. ROMANOWSKI: We believe there's sufficient  
17       space. As you bring buildings on line, you  
18       can use proposed parking areas. We're going  
19       to have some open space in and around the  
20       former complex areas as we start to demolish.  
21       The in-fill buildings that are in the middle  
22       there, that will open up some additional  
23       space. We can use the ramp for, you know,

1 parking construction workers, that type of  
2 thing. So, we've already planned that out  
3 and in fact, some of the details are inside  
4 the DGEIS as well.

5 CHAIRMAN MORRELLS: In line with that question  
6 regarding construction, is there a community  
7 advisory committee, is that something that  
8 exists and will continue?

9 MR. ROMANOWSKI: Yes. There's a community  
10 advisory committee that was in place by  
11 Kaleida going back, Cynthia, four years now?

12 CYNTHIA SCHWARTZ: At least.

13 MR. ROMANOWSKI: Potentially five years ago, that  
14 have actively been engaged in this reuse from  
15 the point when Kaleida went to sell it and  
16 hand it off to the next developer. And that  
17 group continues, the Elmwood Crossing teams  
18 continues to, in fact, in the DGEIS we  
19 scheduled all the meetings we've held with  
20 that committee about the project. That is  
21 where a lot of this input has come to us.  
22 When we talked about the importance of green  
23 space and the type of uses that would be



1           appropriate, that was all part of the  
2           community advisory committee input.

3   CHAIRMAN MORRELLS:   Okay.   So now we have the  
4           public portion.

5   MR. ROMANOWSKI:   Okay.

6   CHAIRMAN MORRELLS:   Are you finished with your  
7           presentation?

8   MR. ROMANOWSKI:   We are finished unless the Board  
9           as any other questions?

10   CHAIRMAN MORRELLS:   The way I understand this is,  
11           individuals make comments, there is no  
12           response.

13   NADINE MARRERO:   These public comments are to be  
14           responded to in the Final Generic  
15           Environmental Impact Statement.   This is for  
16           the Board to hear and then take into account  
17           while drafting the Final Environmental Impact  
18           Statement.   This is for the Board to hear  
19           from the public and the residents, and then  
20           any substantive comments that are presented  
21           too will be responded to in writing.

22   HORACE GIOIA:   This isn't a site plan?

23   NADINE MARRERO:   This is not a site plan; this is

1 the environmental impact.

2 CHAIRMAN MORRELLS: There's no back and forth and  
3 trying to get the answer.

4 HORACE GIOIA: Just public comments.

5 MR. ROMANOWSKI: What we presented today and the  
6 document itself, there will be opportunities  
7 in the future to deal with individual site  
8 plans.

9 CYNTHIA SCHWARTZ: The one thing we haven't done  
10 is remind people where the document is  
11 available. Obviously folks here are aware of  
12 it, but as coverage of this continues, where  
13 is this document available for the general  
14 public.

15 NADINE MARRERO: The document is in the Crane  
16 Library, it is also available on the City of  
17 Buffalo's website under OSP Environmental  
18 review. All the documents related to this  
19 environmental are there. The contents of  
20 scoping, the draft and final scope and the  
21 draft environmental impact statement. It's  
22 also available on our website where we keep  
23 our agenda. So, it's on two places for the

1 City of Buffalo's website.

2 MR. ROMANOWSKI: It's also on the project team's  
3 website, Elmwood Crossing's website. We have  
4 it there as well.

5 NADINE MARRERO: So we just take comments now.

6 CHAIRMAN MORRELLS: Okay. Is there anyone else  
7 to be heard on this item? Please step  
8 forward, state your name and make your  
9 statement.

10 BILL WISNIEWSKI: My name is Bill Wisniewski, I  
11 live on Bryant Street. I just talked around  
12 the site today looking at this site plan, the  
13 current one. And my concern at this point is  
14 the amount of green space, when I look at it,  
15 it appears the spot that's the lawn next to  
16 the helipad building, requires the demolition  
17 of two buildings, which I have not heard  
18 addressed yet. I'm not sure with something  
19 of this scope why it would require the  
20 demolition of any houses on Bryant Street,  
21 specifically those.

22 And I'm skeptical, as I did walk the  
23 site, they I did they're doubling the amount

1 of green space. Is that for the whole site  
2 or just around the hospital? Because every  
3 time I look at that it, it seems like it's  
4 getting smaller. And that's a discussion I  
5 have with my neighbors. I think they're  
6 ignoring -- where is the public access,  
7 public space? I don't see any of this being  
8 some place I would be hanging out on a summer  
9 day. That would be like me going over to  
10 Adam's Mark and playing in the fountain or  
11 going to Gates circle and thinking I'm having  
12 a picnic. I'm skeptical, or I'm supposed to  
13 be naive.

14 CHAIRMAN MORRELLS: Thank you.

15 BILL WISNIEWSKI: Thank you.

16 CHAIRMAN MORRELLS: Is there anyone else to be  
17 heard on this item? Please step forward,  
18 state your name.

19 LINDA GELLMAN: Hi, my name is Linda Gellman,  
20 I'm -- if I may I'd like to speak for Eva  
21 Hatchas, she sent me if that's okay. So I  
22 speak for Eva Hatchas first who lives on  
23 Ashland Avenue as well. The number one need

1 as evidenced by the neighborhood survey that  
2 was done is for significant public green  
3 space.

4 This neighborhood is a green space  
5 desert identified by the City's own master  
6 plan as well. The EC -- Elmwood  
7 Crossing Plan as put forward is nowhere near  
8 adequate in terms of green space. A strip  
9 along the sidewalk is not a park for  
10 neighbors to share. Real green space is an  
11 amenity and would help support housing in  
12 this area, especially drawing families.

13 At the corner of Bryant and Elmwood  
14 should be a park, not added square footage on  
15 top of 650 thousand, we heard it was closer  
16 to seven hundred, that needs to be reviewed.  
17 The new building shouldn't be a priority in  
18 this project unless there's a document unmet  
19 demands after the reuse is completed and  
20 filled.

21 Now, here is my statement. I also am an  
22 Elmwood Village homeowner living on Ashland  
23 near Bryant, this certainly does impact my

1 life, this project. As we carefully consider  
2 environmental impact on Elmwood Village, this  
3 project plan also would include a quality of  
4 life impact statement, a liveability impact  
5 statement, a bicycle and pedestrian impact  
6 statement. This repurposing project can be  
7 and should be a model for our region and  
8 nation on how to enhance the quality of life  
9 in an urban village setting, by fully  
10 embracing the principles of smart  
11 revitalization to make our communities far  
12 more, not less, liveable and sustainable.

13 One cornerstone of this project  
14 blueprint must be about getting people out of  
15 cars and maximizing safe and efficient  
16 transit. Walking and bicycle options rather  
17 than adding another car to an already crowded  
18 street. This project plan for the 21st  
19 century must be guided by 21st century  
20 thinking. To enhance livability, to bring  
21 people and families back to our sidewalks and  
22 streets; and to give us a place where we can  
23 live, work, learn and play for generations to

1           come.

2                   This must include new and open green  
3           spaces and other community amenities that has  
4           livability, at the same time can spark a shot  
5           in the arm for our local economy.

6           Thank you.

7   CHAIRMAN MORRELLS: Thank you. Please step  
8           forward and state your name.

9   BILL SMELTZ: My name is Bill Smeltz, 65 Hodge  
10   Avenue, speaking as an individual resident in  
11   the neighborhood here. I'd just like to note  
12   one thing that was mentioned in the traffic  
13   report as we went through that. If you take  
14   a look at the traffic report, there's a  
15   significant peak volume of traffic in the  
16   neighborhoods serving the grocery store and  
17   the apartments and so forth.

18           One of the things that was noted in the  
19   presentation of the traffic report was that  
20   the traffic report or traffic volumes meet  
21   appropriate levels, so long as all of the  
22   connections that currently exist, including  
23   Hodge correction, Utica connection and

1 connection to Elmwood Avenue remain.

2 I'd like to ask that the committee look  
3 at the actual volumes of internal circulation  
4 generated from that and how much traffic  
5 would be distributed on to Hodge versus Utica  
6 versus Elmwood. The concern from the Hodge  
7 Group would be that if this becomes a back  
8 door egress for hundreds of, you know,  
9 hundreds of cars per hour, that it may be one  
10 of the easiest ways to egress the site on to  
11 a, you know, relatively small residential  
12 street. So, other than that, I think a lot  
13 of us are quite happy with the way some of  
14 the development has progressed with the work  
15 that's going on. Thank you.

16 CHAIRMAN MORRELLS: Thank you. Please step  
17 forward and state your name.

18 PEGGY MORIARTY: My name is Peggy Moriarty, and I  
19 have been on the pack group for four years  
20 and a resident of Oakland Place for 45 years.  
21 When we worked with the first developer,  
22 we had significant issues. And we as the  
23 neighbors, the Bryant Oakland Summer Street



1 Association, Hodge and Anderson got together  
2 and spoke as one group.

3 We worked as one group. And we decided  
4 that this was not going to be a project that  
5 was going to be a negative impact. It was  
6 something that was going to happen. The  
7 hospital has been there for seventy-five  
8 years or whatever, and we wanted to see  
9 progress. We know it's going to be changed.  
10 And we were working very, very hard with the  
11 first group and we had problems; that left  
12 and then we got the Ellicott Development and  
13 Sinatra.

14 It was a total change of personality, of  
15 interest, of listening skills, professional  
16 skills. And we worked very, very hard once  
17 again, never reporting to the public about  
18 any problems because we decided we can work  
19 them out with our team between the developers  
20 and the neighborhoods. Some of the  
21 neighborhoods that are over on Richmond and  
22 Anderson, and Ashland -- not Anderson, but  
23 Ashland and Norwood had other concerns, but

1 we being under the shadow of the hospital  
2 felt we were making a lot of progress. They  
3 made a lot of changes.

4 And generally speaking, we are very  
5 pleased with the changes that they've made.  
6 There will always be little things like green  
7 space and there will be parking issues  
8 because the ramp will become pay, people have  
9 to pay to use the ramp, which means a lot of  
10 parking is going to come back into the  
11 neighborhood. But generally speaking, I just  
12 wanted you to know that this was a project we  
13 feel very good about and we're happy to see  
14 it get going. Thank you.

15 CHAIRMAN MORRELLS: Thank you. Is there anyone  
16 else to make a comment on the project?

17 Hearing none, motion to close?

18 HORACE GIOIA: Motion to close.

19 ANDREW MALCOLM: Second.

20 CHAIRMAN MORRELLS: All in favor?

21

22 (Response of aye from the Board.)

23

1 CHAIRMAN MORRELLS: So.

2 HORACE GIOIA: There's more to come in.

3 MR. ROMANOWSKI: The next phase is the  
4 continuation of the public comment period,  
5 now it's written comments that will be  
6 received until July 29th.

7 CHAIRMAN MORRELLS: July 29th.

8 NADINE MARRERO: July 29th. They can be  
9 submitted in writing and mailed, they can be  
10 e-mailed to Jason Paananen. Just the two,  
11 those are the only two.

12 CHAIRMAN MORRELLS: And that's to --

13 NADINE MARRERO: To the City of Buffalo. And if  
14 they come to me, it doesn't matter.

15 MR. ROMANOWSKI: And certainly if our project  
16 team receives any, we'll pass them along to  
17 the City. We've only had a couple questions  
18 just about documents.

19 CHAIRMAN MORRELLS: So the comment period ends on  
20 the 29th.

21 NADINE MARRERO: Unless it's extended.

22 CHAIRMAN MORRELLS: And then the final draft --

23 NADINE MARRERO: The Final Generic Environmental

1           Impact Statement is the Board's document and  
2           is the in response to any of the these  
3           comments, revisions to the Draft  
4           Environmental Impact Statement and any new  
5           studies that are required to answer those  
6           comments.

7   CHAIRMAN MORRELLS:  It won't go back here, just  
8           from this point forward --

9   NADINE MARRERO:  Part of it is to incorporate any  
10          edits that are required from previous  
11          documents.  That will be the Board's document  
12          and that will be issued, there are some  
13          guidelines but generally it's forty-five days  
14          after the close of public comment period.

15   CHAIRMAN MORRELLS:  There will be a presentation  
16          on the final --

17   NADINE MARRERO:  Well, it's the Board, so we will  
18          have a discussion.

19   MR. ROMANOWSKI:  Certainly we'll help, no public  
20          hearing.

21   NADINE MARRERO:  No, there's no public hearing on  
22          a Final Draft Environmental Impact Statement.  
23          And then after that, no sooner than ten days

1 after, the Board will be in a position to  
2 issue findings on the project and then could  
3 start moving it forward.

4 CHAIRMAN MORRELLS: I think that's important for  
5 individuals that have spoken here and any  
6 others that they understand that basically  
7 from this point up until the 29th is the  
8 comment period. After that, it rests with  
9 the Board.

10 MR. ROMANOWSKI: Right. So, the Board will  
11 prepare responses with our assistance,  
12 provide information regarding the project or  
13 otherwise, we had some good questions and  
14 comments already today. Those will be part  
15 of the FDEIS, of course. And then as Nadine  
16 laid out the rest of the process.

17 CHAIRMAN MORRELLS: Okay. Thank you.

18 MR. ROMANOWSKI: Thank you very much.

19 CHAIRMAN MORRELLS: Appreciate it.

20

21

22

\* \* \* \*

23

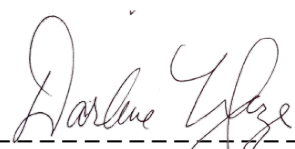
1 STATE OF NEW YORK)

2 SS:

3 COUNTY OF ERIE)

4  
5 I, DARLENE L. JERGE, a Notary Public in  
6 and for the State of New York, County of Erie, DO  
7 HEREBY CERTIFY that the minutes of the PLANNING  
8 BOARD proceedings were taken down by me in a  
9 verbatim manner by means of Machine Shorthand, on  
10 JULY 5, 2019. That the MINUTES were then reduced  
11 in writing under my direction. That the minutes  
12 were taken to be used in the above-entitled  
13 action.

14 I further CERTIFY that the  
15 above-described transcript constitutes a true and  
16 accurate and complete transcript of the minutes  
17 taken.

18  
19   
-----  
20 DARLENE L. JERGE,  
21 Notary Public.  
22  
23

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**Paananen,Jason A**

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**From:** Marrero,Nadine L  
**Sent:** Monday, July 15, 2019 10:33 AM  
**To:** Paananen,Jason A  
**Subject:** FW: Comment on Elmwood crossing project.  
**Attachments:** Children's Hospital entry pavilion.jpg

**From:** Anthony James [mailto:anthonyojames@gmail.com]  
**Sent:** Monday, July 15, 2019 10:28 AM  
**To:** Marrero,Nadine L <nmarrero@ch.ci.buffalo.ny.us>  
**Subject:** Comment on Elmwood crossing project.

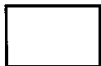
Hi Nadine,

While I am in support of the Elmwood Crossing project in general I have one comment that I feel is very important regarding the design. The proposed renderings show a total redesign of the entry pavilion (existing condition shown in photo attached), which is undoubtedly the best Postmodern building in Buffalo. It would be easier (and also cheaper, I'm sure) to retain this facade, which in another 25 or 30 years will have achieved the 50 year mark and if we lose it we will lose the best of that period of modern architecture. Since the planning board does have some design input I would urge that this important building not be lost to posterity. Many thanks for the chance to give input. I will also make these comments for the EIS process.

Sincerely,  
Anthony James

--

**Anthony O. James, R.A.**  
**Anthony O. James, Architect**  
**160 Greenfield Street**  
**Buffalo, NY 14214**  
**716-243-1261**  
**anthonyojamesarchitect.com**



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**Paananen,Jason A**

---

**From:** ezwiz@aol.com  
**Sent:** Monday, July 15, 2019 12:00 PM  
**To:** Paananen,Jason A  
**Subject:** Elmwood Crossing

July 15.2019  
To: Buffalo Planning Board  
Subject: Elmwood Crossing

Hello....

I am writing to you with concerns about the looming Elmwood Crossing project. After reviewing the most current site plan and walking around the block, I have noticed the newly proposed "Nature Art Focused Play Area" and "Open Lawn" space now proposed for the lot at 187 Bryant Street located next to the Alfiero Building.

To achieve this new so called "green space" it would require the demolition of 2 two houses. This is wrong and uncalled for.

I do not recollect this ever being mentioned before at the many community forums about Elmwood Crossing, where a major request from the majority of residents of the Elmwood Village was for more "Green Space" and a wish for a neighborhood park.

I have watch this plan evolve and it appears that "green space" is becoming smaller as the site is becoming more packed and overdeveloped.

Regardless of what they call it.... or how green they color it on paper.... the requests and major concerns of the neighborhood are being ignored.

Two historic vintage houses on Bryant Street are now in danger of being demolished. Stop this from happening.

Please address this problem and deny this part of the proposal.

Sincerely,

Bill Wisniewski  
305 Bryant Street  
Buffalo

**Paananen,Jason A**

---

**From:** BOSA Buffalo <bosabuffalo@gmail.com>  
**Sent:** Monday, July 29, 2019 5:07 PM  
**To:** Paananen,Jason A  
**Subject:** Comments on Elmwood Crossing DGEIS

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

To whom it may concern:

The Bryant-Oakland-Summer Block Club wishes to submit the following comments pursuant to the Elmwood Crossing DGEIS.

In general, our group is supportive of this project and wishes to see it proceed apace. A number of our members have participated in the Project Advisory Group for several years, and appreciate the opportunity to provide input and guidance to the development team.

Our comments to the DGEIS are as follows:

- It is our strong belief that the project should include more greenspace. Our area has a dearth of usable public space; parks and playspaces would be of benefit to residents of all ages, existing neighbors and new residents of the Elmwood Crossing development alike. According to the developers, they have provided for as much greenspace as they are willing and able to do independently. Therefore, it is our sincere hope that the City of Buffalo will pursue some kind of public-private partnership to insure and manage such a space to provide an amenity to our community.
- We wish to see creative efforts to mitigate the impacts of construction on the immediate neighbors and on the Elmwood retail strip. For example, the developers could consider a temporary mural on the fencing surrounding the (still vacant) parcel at Elmwood and Bryant.
- Lastly, we are concerned that there's been little progress at the site and wish to see work progress on an expedited timeframe.

Thank you for the opportunity to weigh in.

Carly Battin  
BOSA Board President



## Paananen, Jason A

---

**From:** Courtney Bajdas <courtney.bajdas@gmail.com>  
**Sent:** Sunday, July 28, 2019 7:44 PM  
**To:** Paananen, Jason A  
**Subject:** Elmwood Crossing DGEIS

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Mr. Paananen,

I am the owner and occupant of 227 Anderson Place. Additionally, I am a member of the Elmwood Crossing Project Advisory Committee (PAC) representing my block of Anderson. The below opinions are mine. Other Andersonians will proffer their own.

I have concerns over the Elmwood Crossing DGEIS.

- The grocery store on West Utica has the loading right on W. Utica. This raises major concerns regarding traffic being blocked while trucks maneuver into/out of the loading dock. Watch Elmwood Avenue between Forest and Bryant on any weekday morning between 7am and 9am and you'll see how disruptive it is for pedestrian and vehicular traffic when a delivery truck is trying to access a business. Why not put the grocery store loading dock in the rear where there are presently parking spots? The parking could be shifted to the front of the property.

- The grocery store/lofts building on West Utica is designed as four stories. That is too tall. It should be limited to 3 stories like other new structures in the neighborhood. It should not be taller than the surrounding houses which are 3 stories.

- There is not enough green space. There are plenty of opportunities for more greenery. It benefits the neighborhood, the new Elmwood Crossing residents, the environment and the storm sewers. MORE GREEN SPACE.

- This project, when finished, will dramatically increase the stress on the sewer system. Per the DGEIS the developers have offered to install a detention vessel underneath one swath of green space if, and only if, the planned green space is insufficient. One detention vessel located in a sole location is not reasonable or responsible. This is a real issue and it needs to be addressed before construction begins. As it is, the last two years have seen houses in the neighborhood flooding. The addition of hundreds more people (apartments, townhouses, condos, hotel) and many new businesses is only going to stress the system more.

- The developers have used data that is not representative of the City's demographics. Their "affordable" housing rents are not feasible for most folks. Unless you, the Planning Board, insist, they will not consider lowering the rent of some of the units (there are plenty of market rate units to compensate). You have an opportunity to effect the future of our neighborhood and the lives of low-income residents. You can make this project more inclusive.

- Elmwood Crossing paid for the traffic study that is included in the DGEIS. That is an obvious conflict of interest. The City should do an independent traffic study to eliminate bias. This is a massive project with huge impacts. The City's traffic study should include an engineering traffic simulation model. Parking and traffic are

one of the main concerns of area residents and business owners. The window of opportunity to do this responsibly, i.e. before plans are approved and construction begins, is small.

Finally, Sinatra & Co. and Ellicott Development do not have good track records of listening to residents and other stakeholders. Sure they hold public meetings and collect comment cards, but when it comes down to it, they don't make significant changes.

Two recent examples are:

- The multi-use new build on the corner of Elmwood and Bryant. Green code says 3 stories is the maximum. There was considerable public outcry that the proposed 6-story structure was too tall. The developers "heard" the public and "compromised" by eliminating one floor. That is not what the public demanded. Five stories is closer to their plan than it is to the code.

- The Cadet Cleaners condominium project at West Utica and Atlantic Avenue faced significant pushback regarding the location of the sole driveway for the condos. A petition signed by 120 residents and property owners from within 1/16th of a mile of the project stated they wanted the driveway located on West Utica instead of on Atlantic Avenue. The developer refused to make the change and the driveway remains on Atlantic.

Thank you for your time and consideration. We are counting on you to ensure this monumental project is designed and executed responsibly and with consideration to the historic neighborhood and its residents.

Sincerely,  
Courtney Bajdas

**Paananen,Jason A**

---

**From:** ALEXANDER L THOMSON <thomsonclan@me.com>  
**Sent:** Thursday, July 25, 2019 9:21 PM  
**To:** Paananen,Jason A  
**Subject:** Elmwwod Crossing project

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good Evening,

I am a current homeowner on Hodge Avenue. It is in my estimation, based on the public documents, that the current scale of the Elmwood Crossing is far to large in it's scope for the area. This project should be scaled down, or major changes to current traffic flow on surrounding street and changes in existing parking rules should be planned before the project begins.

The current parking and traffic analysis are not reflective of current conditions, and rely on speculation and underestimation of potential impact for the numbers to work. There needs to be a more comprehensive detailed analysis of the situation.

First off, the overnight parking spots are inadequate now. An elderly neighbor that owns a home on Hodge, near Delaware, had to park on Elmwood Avenue just the other evening because there were no spots available on Hodge. The amount of overnight parking has increased since the departure of children's hospital. The current plan of apartments, condos, hotel workers, retail workers, grocery store workers, and all of the customers brings the potential number of cars to over 800. The parking garage and available spaces are not near adequate, and street parking cannot accomodate the overflow.

The estimated increase in the amount of cars and the existing traffic patterns are implausible. In just one example there are over 200 apartment

units, but the stated impact from these apartments is only 56 cars. The traffic study itself does not show trucks of any kind using Hodge. There are trucks travelling up and down Hodge all day long. Hodge is currently used by local drivers as a cut through to avoid traffic lights. The study does not reflect reality, and the impact has been substantially underestimated.

There is an unaccounted for problem with the plans. There are several connectors that are in reality going to become side-streets. The current pass-through under the Alfieri addition, the proposed "driveway" connecting Hodge to the Supermarket parking lot and thus connecting Utica to Hodge, and a potential cut through from the Elmwood exit of the parking ramp through the parking lot behind Casa Di Pizza that is owned by the developer. With the reality of the increase in traffic (that must also include the new townhouses on Utica that are being ignored because they have parking, and another major housing development going across Utica proposed by the same developer) drivers will be looking for ways to "short-circuit" the main arteries and traffic signals. It is very reasonable to presume that there will be a more substantial increase in traffic pressure on Hodge than is anticipated. With this problem the idea of making Hodge a one way, or even a dead-end should be part of the project discussion.

I am also VERY concerned that we are demolishing existing housing stock to accommodate green space, when what we should be doing is demolishing existing hard-scape. The proposal is to demolish a Victorian home and carriage garage on Utica to put in a small park space. A better solution would be to remove the parking area next to the Alfieri wing to increase green space, and at the same time eliminating a traffic "short-circuit" onto Hodge.

As for better solutions to the traffic and parking issues there are several things that should be considered. The most obvious is to reduce the number of housing units in the proposal. Increase the volume of street parking in the immediate vicinity. Streets such as Oakland place, Bryant

and St. George's square have limited or NO parking. Oakland Place has no overnight parking. Also all streets in the immediate area should change to permit parking on both sides of the street.

In summary please consider:

1. Completing a detailed traffic and parking report that is accurately represents current conditions . This one does not.
2. Reduce the number of units because of the impacts to the immediate area due to traffic, parking and congestion.
3. Increase the amount of parking spaces on the immediate vicinity, especially underutilized streets such as Oakland Place.
4. Make local street parking on both sides to increase capacity.
5. Make Hodge a dead-end to reduce its use as a work-around for current traffic, if not at least a one-way.
6. Don't remove existing housing stock, and obtain green space by eliminating blacktop, particularly the Alfieri parking spots adjacent to Hodge (which would also eliminate it as a work-around as stated in #5

Thank you for you consideration,  
Alex Thomson  
55 Hodge Ave

## Paananen, Jason A

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**From:** Bill Smeltz <wsmeltz@gmail.com>  
**Sent:** Thursday, July 25, 2019 8:02 AM  
**To:** Paananen, Jason A  
**Subject:** Elmwood Crossing EIS Comment

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

In review of the Environmental Impact Study, please note the following comments:

- There are inconsistencies in the site plan drawings between the Bergman Traffic Study and the Master Plan Site Plans as to documentation of the North/South circulation serving the East side of the Gallagher Ramp. The Traffic Study shows two-way North/South circulation to the parking garage. This configuration appears to not result in a through-the-block circulation pattern. The Master Plan shows continuous circulation between Utica and Hodge Avenue in the Southbound direction. The Master Plan should clarify whether there is an intent to provide through circulation in a North/South direction between West Utica and Hodge Avenue. Please note that the traffic studies refer to the Hodge connection as a parking garage driveway. This terminology and the resulting traffic flow calculations would be inconsistent with the development of two-way through circulation which for all practical purposes would create a new through-the-block street running North/South along the East edge of the Gallagher Ramp. We believe the Planning Board and city traffic officials should require clarification of the real intent and understand the impact on internal development circulation, as well as the impact on West Utica and Hodge Avenue circulation. The developers should also clarify what assumptions were used in the calculation and the conclusions of the Bergman Report.
- The Plan represents that paid parking in the Gallagher Ramp will support parking for the apartment occupancy of the development. The failure to provide adequate free parking to the apartments will result in competition for free street parking throughout the impact area as new residents attempt to avoid paid parking. Consideration for a mechanism to provide resident's parking or to include parking within the rental structure of the new apartments, as well as other alternatives, should be considered to avoid negative impact on the adjacent neighborhoods as residents rely on street parking for much of their parking capacity.

Thank you for the opportunity to comment.

Bill Smeltz  
65 Hodge Avenue

**Paananen,Jason A**

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**From:** joel <jlippes@gmail.com>  
**Sent:** Wednesday, July 24, 2019 2:06 PM  
**To:** Paananen,Jason A  
**Subject:** ELMWOOD CROSSING DGEIS COMMENTS

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

To: Jason Paananen, Dir. Environmental Planning  
re: Elmwood Crossing DGEIS

Dear Jason,

After studying the DGEIS, looking at the maps and traffic patterns, I have two concerns:

1. The traffic flows shown suggest they'll affect Hodge Avenue more than is indicated. For one thing, the "driveways" being proposed are in fact roads connecting Hodge to West Utica and to Bryant. With the proposed supermarket, expanded day care, and a busier parking ramp Hodge is likely to become a traffic "dumping ground" and kind of a back door access route. Hodge, historically a quiet street (even with the hospital operating), is threatened with excess traffic, insufficient parking, and noise.
2. The map of Elmwood Crossing indicates new "green space" on Bryant, adjacent and east of the hospital. That green space would require demolition of two lovely residences (one formerly used for hospital offices), both of which are in good shape. The city and the developers must be made aware that this neighborhood will vigorously fight to preserve these homes, both of which are architecturally consistent with the rest of the neighborhood.

Here's the bottom line of my concerns: The developers are proposing an extremely, overly dense residential/commercial project. The impact of this development will be potentially harmful to the immediate neighborhood, not to mention the "Elmwood Village" as a whole.

The project, because of the strong possibility of negative impacts, must be significantly scaled down. And, if demolition is to occur for (much needed) green space then some part(s) of the obsolete hospital are much better suited to be torn down.

Yours truly,  
Joel Lippes  
35 Hodge  
Buffalo 14222

**OTHER CORRESPONDENCE RECEIVED**  
**(Outside of the GEIS process)**







## Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO  
Governor

ROSE HARVEY  
Commissioner

May 16, 2018

Mr. Jason Paananen  
City of Buffalo  
901 City Hall, 65 Niagara Square  
Buffalo, NY 14202

Re: NPS  
Elmwood Crossing Major Subdivision Project  
187 & 219 Bryant Street, 125 Hodge Avenue, 451 & 489 Elmwood Avenue, 180, 184 &  
188 West Utica Street, Buffalo, Erie County, NY  
18PR02821

Dear Mr. Paananen:

Thank you for requesting the comments of the New York State Historic Preservation Office (SHPO). We have reviewed the provided documentation in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources. They do not include other environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the National Environmental Policy Act and/or the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8).

The Archaeological Survey, SUNY-Buffalo (UB) prepared a Phase IA Sensitivity Assessment report for a previously reviewed project encompassing the above noted project's Area of Potential Effect (APE). Based upon our review of that report entitled "Phase IA Archaeological Resources Sensitivity Assessment for the Proposed Improvements to Women and Children's Hospital, City of Buffalo, Erie County, New York" (Montague May 2009), the recommendations contained therein and the proposed current undertaken, the SHPO offers the following Phase IB archaeological testing recommendations:

1. Phase IB 7.5-meter (25 feet) shovel test intervals **is** recommended in areas of low predicted disturbance that may be impacted by the proposed project. See green shaded areas in enclosed Figure 11 (page 19) of the Phase IA Report for these locations.
2. Phase IB testing **is** recommended for the areas of impact related to the proposed Grocery Store with Apartments Above, and the Townhouse complex south of West Utica Street, as they correspond to the areas marked in yellow on the attached Figure 11.
3. Phase IB archaeological testing is **not** recommended for the remainder of the project APE.

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### Division for Historic Preservation

P.O. Box 189, Waterford, New York 12188-0189 • (518) 237-8643 • [www.nysparks.com](http://www.nysparks.com)

The above testing protocol is acceptable to our office with the understanding that the consulting archaeologist will be supplied with a set of accurate project construction plans before proceeding with Phase IB archaeological testing.

Our office does not conduct cultural resources surveys. A 36 CFR 61 qualified archaeologist should be retained to undertake the Phase I survey. Many archaeological consulting firms advertise their availability in the yellow pages. The services of qualified archaeologists can also be obtained by contacting local, regional, or statewide professional archaeological organizations. Phase I surveys can be expected to vary in cost per mile of right-of-way or by the number of acres impacted. We encourage you to contact a number of consulting firms and compare examples of each firm's work to obtain the best product.

Please also be aware that a Section 233 permit from the New York State Education Department (SED) may be necessary before any archaeological survey activities are conducted on State-owned land. If any portion of the project includes the lands of New York State, you should contact the SED before initiating survey activities. The SED contact is Dr. Christina Reith and she can be reached at (518) 402-5975. Section 233 permits are not required for projects on private land.

Finally, please verify all state and/or federal agencies that are now or will be involved in this project in the future and from which you will be receiving permits, permissions and/or funding, and provide the SHPO with the contact names and addresses, including email, for each involved agency.



**Figure 11.** Predicted areas of disturbance in the project area. Green represents areas of lowest predicted disturbance, yellow represents areas of moderate disturbance, and red represents areas of high disturbance.

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Mr. Jason Paananen  
May 16, 2018  
Page 3 of 3.

If further correspondence is required regarding this project, please refer to the project number (PR) noted above. If you have any questions, I can be reached at 518-268-2218 or via e-mail at [Josalyn.Ferguson@parks.ny.gov](mailto:Josalyn.Ferguson@parks.ny.gov).

Sincerely,



Josalyn Ferguson (B.A., M.A.)  
Historic Preservation Specialist/Archaeology

*via e-mail only*

c.c. Nadine Marrero, City of Buffalo  
c.c. Sean Hopkins, Hopkins Sorgi & Romanowski





## Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO  
Governor

ROSE HARVEY  
Commissioner

September 6, 2019

OUTDATED

Mr. Jason Paananen  
Director of Environmental Affairs  
City of Buffalo  
901 City Hall  
65 Niagara Square  
Buffalo, NY 14202

Re: NPS, DEC  
Elmwood Crossing Major Subdivision Project  
187 & 219 Bryant Street, 125 Hodge Avenue, 451 & 489 Elmwood Avenue, 180, 184 &  
188 West Utica Street, Buffalo, Erie County, NY  
18PR02821

Dear Mr. Paananen:

Thank you for providing additional information to the New York State Historic Preservation Office (SHPO). We have reviewed the submitted materials in accordance with Section 106 of the National Historic Preservation Act of 1966.

I put the project on hold while I waited for you to provide me with a Department of Environmental Conservation (DEC) contact. When you provided me with that contact information through email, I did not remember that the project was on hold and did not reopen it and provide my comments. When I received your call today, I realized what had happened. I am sorry that you did not receive these comments when we intended to provide them.

The proposed action consists of major subdivision approval for the combination of a portion of 187 and 219 Bryant Street, the combination of 180, 184 & 188 West Utica Street and the combination of a portion of 219 Bryant Street and 451 Elmwood Avenue for the recently approved Elmwood Crossing mixed-use project. Creation of these parcels is in connection with the future mixed-use redevelopment of the Children's Hospital site and other nearby parcels.

As previously indicated by our office in our May 16, 2018 letter, the SHPO has archaeological cultural resource concerns with the Elmwood Crossing Major Subdivision Project. These concerns and our recommendations for a Phase IB Archaeological Subsurface Survey were not reflected in the Draft Scoping Document. We wish to again draw attention to our concerns, and recommendation for the Phase IB Archaeological Survey. If you have any questions, please feel free to contact Josalyn Ferguson of the Division of Historic Preservation's Archaeology Unit at 518.268.2218, or [Josalyn.Ferguson@parks.ny.gov](mailto:Josalyn.Ferguson@parks.ny.gov).

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Division for Historic Preservation

P.O. Box 189, Waterford, New York 12188-0189 • (518) 237-8643 • [www.nysparks.com](http://www.nysparks.com)

There are a number of historic buildings proposed for demolition as part of the project. The demolition of these structures will have an Adverse Effect. As we noted in our June 8, 2018 letter, we are particularly concerned with 184 West Utica Street because of the uniqueness and quality. We recommend that the historic properties proposed for demolition be retained and that they not be demolished. However, if that cannot be done, we request that particular attention be paid to saving or moving 184 West Utica Street. We also recommend that our office be consulted with as the project materials are developed so that we can determine the impact the project will have on the multiple historic structures in the Area of Potential Effect (APE).

If I can be of further assistance, please contact me at 518-268-2158.

Sincerely,

A handwritten signature in cursive script that reads "Sloane Bullough".

Sloane Bullough  
Historic Sites Restoration Coordinator

via e-mail only



## Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO  
Governor

ERIK KULLESEID  
Commissioner

October 4, 2019

Mr. Jason Paananen, Director of Environmental Affairs  
City of Buffalo  
901 City Hall  
65 Niagara Square  
Buffalo, NY 14202

Re: SEQRA  
Elmwood Crossing Major Subdivision Project  
187 Bryant Street, 125 Hodge Avenue, 451 & 489 Elmwood Avenue, 180, 184 & 188  
West Utica Street, Buffalo, Erie County, NY  
**18PR02821.008**

Dear Mr. Paananen:

Thank you for requesting the comments of the Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP) as part of your SEQRA process. These comments are those of the Archaeology Unit of OPRHP and are intended to clarify our office's position regarding concerns for Archaeological Historic/Cultural resources that may be impacted by the proposed project. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617).

As per our May 16, 2018 letter, a Phase IA Archaeological Sensitivity Assessment report was previously completed by SUNY-Buffalo's Archaeological Survey (Mongague May 2009) that covers the proposed project's Area of Potential Effects. Following the recommendations made in that report and in light of the Elmwood Crossing Major Subdivision Project's ground disturbing impacts, OPRHP noted in our letter that our office has concerns for potential impacts to archaeological cultural resources. These concerns and specific recommendations for a Phase IB Archaeological Subsurface Survey were not reflected in the Draft Scoping Document submitted to our office for review. OPRHP thus wishes to draw attention to our concerns and continued recommendation for a Phase IB Archaeological Survey. The Phase IB Archaeological Survey Report can be submitted to our office for review and comment using the following Cultural Resource Information System (CRIS) link:  
<https://cris.parks.ny.gov/?type=CR&id=41DNT4YTKKTQ>.

Ms. Sloane Bullough of OPRHP's Technical Unit will similarly be providing clarifying comments about concerns for above ground, structural historic/cultural resources under separate cover.

If this project will involve state or federal permitting, funding or licensing, it may require a more rigorous review by those agencies and this office for potential impacts to architectural and archaeological resources, in accordance with Section 106 of the National Historic Preservation Act or Section 14.09 of NYS Parks Recreation and Historic Preservation Law.

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Mr. Jason Paananen  
October 4, 2019  
Page 2.

If you have any questions, I can be reached at (518) 268-2218 or via e-mail at [Josalyn.Ferguson@parks.ny.gov](mailto:Josalyn.Ferguson@parks.ny.gov).

Sincerely,

A handwritten signature in cursive script, appearing to read "J. Ferguson".

Josalyn Ferguson, Ph.D.  
Scientist Archaeology

*via e-mail only*

c.c. Andrew Reilly, Wendel Companies  
c.c. David Denk, DEC  
c.c. Kerry Traynor, kta Preservation Specialists  
c.c. Nadine Marrero, City of Buffalo  
c.c. Sean Hopkins, Hopkins Sorgi & Romanowski